UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,948	12/05/2001	Kurtis Paul Longnecker	AUS920010641US1	7801

35525   7590   05/03/2004

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EXAMINER
CABRERA, ZOILA E

ART UNIT	PAPER NUMBER
2125	

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 December 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 15 and therefore claims 16-21 are objected to because of the following

informalities: Claim 15, lines 2-3 recites "the computer program product". There is no

antecedent basis for such limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by

Tsuchida et al. (US 2003/0177024 A1).

Claims 1, 8, 15 and 22 are so broad as to read in **Tsuchida** who discloses a

method, a computer program product and a system for producing a drawing of

components and connections needed to implement a desired system, comprising:

- receiving user needs of the desired system (Page 3, 0074 lines 1-5; Fig. 1,

  Electronic Drawing Data Dx, elements 11 and 12, supplier 12 receives Drawing

  Data from Customer 11); determining components and connections needed to

  implement a system that satisfies the user needs (Page 7, 0120, lines 3-7);

generating a drawing program input that provides instructions for producing a drawing of the system that satisfies the user needs (Fig. 28, S700 – S704; Page 8, paragraphs 0130 – 0131 and 0134); and sending the drawing program input to a drawing program (Page 8, 0141; Fig. 1, Electronic Drawing Data Dx and Electronic Drawing Data Dc).

Regarding claims 2-7, 9-14, 16-21 and 23-28, **Tsuchida** further discloses,

- providing a graphical user interface for receiving the user needs of the desired system (Fig. 3);

- the graphical user interface comprises a plurality of graphical user interfaces (Fig. 3);

- the plurality of graphical user interfaces are presented to the user sequentially (Fig. 5, i.e., Received Unit No. 0014, 0018, 0024; Fig. 3, Received Unit No. and "Details are displayed by Double Click");

- generating, with the drawing program, the drawing of the desired system (Fig. 28, S704);

- the desired system is a system to implement web hosting (Page 3, 0068, lines 1-6; Fig. 1, element 15);

- determining components and connections needed to implement the system that satisfies the user needs comprises referencing a set of policies that must be satisfied in order for the desired system to function properly (Page 5, 0084, lines 3-8, i.e. there is a format rule specific to each orderer or customer 11).
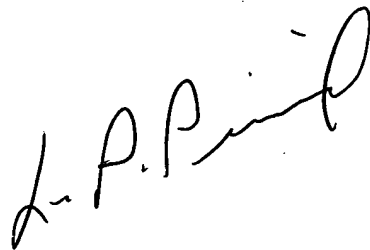
Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning communication or earlier communication from the examiner should be directed to Zoila Cabrera, whose telephone number is (703) 306-4768. The examiner can normally be reached on M-F from 8:00 a.m. to 5:30 p.m. EST (every other Friday).

If attempts to reach the examiner by phone fail, the examiner's supervisor, Leo Picard, can be reached on (703) 308-0538. Additionally, the fax phones for Art Unit 2125 are (703) 872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 305-9600.

Zoila Cabrera
Patent Examiner
4/29/04

LEO PICARD
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TECHNOLOGY CENTER 2100